

In the Matter of )  
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Digital Audio Broadcasting Systems ) MM Docket No. 99-325  
And Their Impact On the Terrestrial Radio )  
Broadcast Service )

We feel compelled to point out that those who make these arguments have full access to the digital bandwidth including a blend to analog when the end of the digital signal range is encountered. They have multiple program channels available to them as HD1, HD2, and can offer profit-making subscription-based services using their digital bandwidth (with the approval of the Commission). Others have invested heavily in the development and deployment of the IBOC system to date and have a huge financial interest in maintaining the shortest route to return on investment. In short, they are enjoying a major improvement for their stations and in the case of equipment providers and developers – their sales and product lines are growing.

iBiquity has maintained that our requests for fair treatment in the digital broadcast world, if granted by the Commission, will slow the deployment and development of HD radio. We feel differently, that in fact, the creation of still more electronic products that cannot be used by people with disabilities will slow the deployment and development of HD radio.

While today's market for HD radio is a younger audience, in only a few years the people who will wish to listen to HD radio will be older, retirement age persons. IAAIS has a 30-plus year history of meeting the information needs of this burgeoning population and we know that they do not want any more electronic equipment that blink "12:00" and requires a grandson or daughter to operate. All manufacturers and system developers would be well-advised to voluntarily create disability friendly products.

Pointing to the mobile phone industry as example, we remind the Commission that millions of Americans of all ages cannot use the majority of cell phones manufactured for sale in the United States. While the Commission considers these telecommunications devices to be subject to Section 255 of the Telecommunications Act as Amended, it has waited for citizen actions and law suits before beginning discussions with manufacturers. The Commission's assertion that voluntary industry efforts on the behalf of blind and visually impaired or otherwise print-disabled Americans will solve the problem seem like empty promises. Regulation – even temporary is the only industry action understood by corporate America.

Asking the Commission to establish a migration path for reading services by mandating a small allocation of the digital space is not a danger to the industry. It does not mean that the Commission cannot make such a ruling temporary, perhaps lasting until a new, more robust low bit-rate codec can be included in the system.

As NPR points out in their reply comments, the subjective listening tests done by them on IAAIS behalf did point out serious flaws for all very-low bit-rate codecs. In spite of assertions that codec development is ongoing, HDC is still the only codec being loaded into HD chips and therefore the claims by NPR that other, more viable codec exist or will exist is moot. Until such time as a better codec can be utilized on the behalf of reading services, HDC at 24 kpbs is all that we have to work with and should be a part of the Commission's rules.

We further state that:

- 1.) Because the Commission chose not to provide a minimum bit-rate for radio reading services (RRSs) – or required the carriage of a RRS in

the digital mode, it has imperiled the entrance to digital realm for RRSs for the foreseeable future.

- a. Without the recognition by the Commission of the amount of space required to provide the reading service (24kbps), there will either be no RRS provided or no improvement in audio quality. Both situations are unacceptable.
  - b. With the pressure to multicast, station operators will feel obligated to tell the reading services “We don’t have room for your signal and our two signals”. The public interest will not be served, the RRS and the NCE will find themselves in adversarial roles, and the ability of reading services to move to digital broadcasting will be set aside pending resolution of the HDC codec issue. Once again, the RRS industry waits for yet another development while the digital conversion takes place for everyone else.
- 2.) While the digital “giants” such as Microsoft promote little or no regulation, the digital “have nots” are forced to sit on the sidelines; needing only one minimal, temporary rule to protect their ability to serve the American public through an emergent technology that will enhance their services as well.
- a. The Commission states that it wishes to encourage the development of reading services but by its actions/non-actions supports/promotes an adversarial environment between reading services and main channel operators.
  - b. Reading services historically have had to fight to be on the air at all. The Commission’s own record of proceedings (82-1) is evidence that voluntary efforts do not work in the public interest. The Commission must at least make temporary rules while technological solutions can be found to reduce the bit-rate needs of all parties.
- 3.) The Commission fails to recognize that the manufacture of accessible technology is also in the public interest, and will help, not hinder consumer adoption of HD Radio.
- a. Failure to require manufacturers to create some models of HD-Radios that will be usable by Americans who live with disabling and/or age-related debilitating conditions is short sighted (the population is aging and more consumers will need accessible units, not fewer), focusing only on the smallest segment of the population - younger persons.
  - b. The technology and control features needed to make accessible units are readily available; and when done at the design phase, the unit cost does not increase. More consumers will use accessible units not fewer, and all parties will benefit from a faster adoption of digital broadcasting.

We conclude our reply to comments by thanking the Commission for moving forward with digital broadcasting. We urge the Commission to ensure that disabled Americans have access to HD radio. It is the best hope reading services and the tens of millions of Americans have for improving service beyond the scratchy, multicast prone SCA analog of today.

Submitted for IAAIS by

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